

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE REGULAR ZOOM MEEETING MARCH 7, 2023**

Present: Regular members D. Stevenson Hedden, Alan Bahn, Peter Demy and, Alternate members Jeffrey Morgan and Robert Nethery and IWWEO Karen Griswold Nelson. Absent regular members Debby Bennett and William Hurlburt

Chairman D. Stevenson Hedden called the meeting to order at 7:00 PM with a quorum established. Alternate member Jeff Morgan was seated for regular member William Hurlburt and alternate Robert Nethery seated for regular member Debbie Bennett

APPROVAL OF MINUTES: February 7, 2023

Motion made by Mr. Demy, seconded by Mr. Bahn to approve the minutes of the February 7, 2023 regular meeting as presented: unanimously approved.

NEW APPLICATIONS/PETITIONS FOR DECLARATORY RULINGS/UPLAND REVIEW –

Kathleen Hulser/applicant owner – activities within the regulated area (Housatonic River) for the installation of piers for a structural addition to support roof mounted solar panels – 4 River Road South.

Application (Housatonic River Commission and Zoning application made part of the record by staff (kgn)

Griswold Nelson addressed the processing of an application (subject to Zoning and Housatonic River Commission review) for the digging and placement of piers within 100 feet of the Housatonic River to extend an existing porch for the placement of roof mounted solar panels.

Motion made by Mr. Demy, seconded by Mr. Morgan that the application constitutes an upland review with action by the authorized agent; unanimously approved

PDR-09-2023 – Cornwall Gravel Bank LLC property owner/Josh Tyson applicant – maintenance and replacement of bridge deck for access – Sharon Goshen Turnpike.

Information made part of the record;

Petition signed by the property owner/applicant

Previous approvals for work on and around the bridge crossing on file in the Land Use office (kgn)

Griswold Nelson addressed the Petition, stating that the work was limited to the replacement of the bridge deck on the property with no work on the piers or within Mill Brook based on conversations with both Mr. Colby representing the property owner and the contractor Josh Tyson. Mr. Hedden addressed his familiarity with the site, in agreement with Griswold Nelson, that the proposed work was consistent with previous permitting approved (on file)

Motion made by Mr. Hurlburt, seconded by Mr. Bahn, to determine that **PDR-09-2023 – Cornwall Gravel Bank LLC property owner/Josh Tyson applicant – maintenance and replacement of bridge deck for access – Sharon Goshen Turnpike** constitutes a “use as of right” according to Section 4.d for maintenance of an existing structure with no activities proposed for work within the brook: unanimously approved.

PDR10-2023 – Ian Branson applicant/Jacks Hollow LLC – Timber Harvest – Great Hollow Road.

Information made part of the record and forwarded electronically to the Commission on March 2, 2023

Petition for a Declaratory Ruling with accompanying documents

Timber Harvest Map for Jacks Hollow LLC prepared by Ian Branson, CT Certified Forester, dated February 25, 2023

Photos of stream crossing 1 and 2

Ian Branson, certified forester and representative for the property owner and logger was in attendance to represent the application

Mr. Branson addressed the proposal to timber the 28-acre parcel, currently under a 490 classification, to salvage white ash, oak and hemlock, much of which has recently been impacted by Woolley Adelgid and Spongy Moth (formerly known as Gypsy Moth). Mr. Branson stated that Jay Wolfe, a Falls Village based logger, had been hired to do the work to remove dead and dying timber so as allow regeneration of species. Mr. Branson stated that work done within the 7.5 acres of delineate wetlands soils (as shown on the map provided) would include two intermittent stream crossings. Mr. Branson addressed the proposed method for the temporary stream crossings including the placement of timber mats, the wood to be pulled out with a skidder, all following best management practices included the placement of water bars, the regrading and smooth of disturbed surfaces and seeded to prevent erosion. Mr. Branson stated that he existing woods road was to be used as the skid road with the mapping supplied including details as to the “flagged” skid roads and the tracking pads and landing areas. Mr. Branson stated that the harvest would be done on frozen ground and dry conditions to limit impact and disturbance. Accordingly, Motion made by Mr. Demy, seconded by Mr. Morgan, to determine that **PDR10-2023 – Ian Branson applicant/Jacks Hollow LLC – Timber Harvest – Great Hollow Road constitutes as Use of Right** according to Section 4.a for agricultural activities relating to forestry practices with the condition that the Land Use office be notified prior to the start of work: unanimously approved.

PENDING APPLICATIONS App#665 – Giorgio Bovenzi and Shinrin-Yoku owners – Allied Engineering Assoc. Inc. – Regulated activities for the construction of a driveway for a single-family residence within regulated areas – 60 Town Street.

Information on file from the February meeting including

Application and accompanying paperwork Mapping entitled “Proposed Overall Site Plan prepared for Giorgio Bovenzi 60 Town Street by Allied Engineering Associates – dated 12/19/2022 Proposed driveway Profile prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 Proposed wetlands crossing prep prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 State of Connecticut Activity reporting.

George Johannesen. PE with an office in Canaan, CT was in attendance to address the application

With note made that due to weather, commission members out of town, and other scheduling issues, a Commission site walk with the project engineer, had not taken place. With agreement that the applicant was willing to grant a 30-day extension to the Agency and defer continued discussion to the April meeting

Motion made by Mr. Demy, seconded by Mr. Bahn, to grant a 30-day extension on **App#665** and table discussion and any action on the application to the April meeting so as to allow the commission members time for a site walk; unanimously approved

ENFORCEMENT ACTIONS:

Notice of Violation/Cease and Correct – Dark Entry Forest Inc/ property owner and Anthony Macchiaroli /non-property owner for work within regulated areas without permits – Cook Road.

Information made part of the record. Email correspondence from David Colbert
Sent: Tuesday, February 28, 2023 3:59 PM To: Karen Nelson cwlanduse@optonline.net
Subject: Statement for March IWWA Meeting
Dear Cornwall IWWA,
Litigation is still pending as to the Macchiaroli case. Regarding the current E&S status, as you know, DEF has installed hay bales and silt fencing, which it will continue to monitor. If you have any questions, please feel free to contact DEF.
Thank you,
David Colbert
President, Dark Entry Forest, Inc.

Notice of Violation – Gonzales Landscaping Inc. owner- Activities within regulated areas without a permit – 18 Frederick Drive. Order upheld at the August meeting.
Griswold Nelson stated that she had been in contact with the site engineer and that the site remained under control at the current time

INLAND WETLANDS OFFICER REPORT

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

March 11, 2023 Land Use seminar information forwarded to commission members with note made as to attendance for those interested commission members to be addressed by Land Use staff. (kgn)

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

BYLAW AND REGUATION REVIEW.

Discussion deferred until all members were in attendance.

ADJOURNMENT

Motion to adjourn by Mr. Morgan, seconded by Mr. Demy to adjourn at 8:00PM; unanimously approved,

Respectfully submitted by recording secretary Karen Griswold Nelson, for Mr. Demy,
Commission secretary